

04-26-01



26962

PATENT TRADEMARK OFFICE

PATENT



Attorney Docket No.: 3001 P 016



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re U.S. Continuation Patent Application Of: ) Prior Application:  
Kenneth Kiron and Kevin S. Bander ) Application No. 09/579,801  
Mailed: April 24, 2001 ) Filed: May 26, 2000  
For: Open End Mutual Fund ) Art Unit: 2761  
Securitization Process ) Examiner: Not Assigned  
 ) Present Application  
 ) Examiner: Not Assigned  
 ) Art Unit: Not Assigned

**CONTINUATION PATENT APPLICATION  
TRANSMITTAL FILING UNDER 37 C.F.R. §1.53(b)**

Box Patent Application  
Commissioner For Patents  
Washington, D.C. 20231

Dear Sir:

This is a request for filing a continuation application of pending prior Application Serial No. 09/579,801, under 37 C.F.R. § 1.53(b). The parent application was filed on May 26, 2000, by Applicants Kenneth Kiron and Kevin S. Bander, and is similarly entitled "Open End Mutual Fund Securitization Process." The parent application is a continuation of Application No. 09/140,868 filed on August 27, 1998, now U.S. Patent No. 6,088,685, which is a continuation of Application No. 08/542,431 filed on October 12, 1995, now U.S. Patent No. 5,806,048.

**Benefit of Prior U.S. Application**

The attached continuation application being transmitted claims the benefit of prior U.S. applications, as indicated below.

**Papers Enclosed**

In accordance with 37 C.F.R. § 1.63(d), the specification filed herewith contains no new matter. Accordingly, a copy of the executed Declaration and Power of Attorney from the parent application U.S. Application No. 08/542,431, now U.S. Patent No. 5,806,048, is submitted herewith.

Attorney Docket No. 3001 P 016

Title: Open End Mutual Fund Securitization Process

Inventors: Kenneth Kiron and Kevin S. Bander

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The papers attached are as follows:

- Specification, Claims and Abstract, as originally filed October 12, 1995;
- Three (3) sheets of Drawings containing Figures 1A-1L and 2, as originally filed October 12, 1995;
- Substitute Specification and Abstract as filed February 9, 1998;
- Amendment filed February 9, 1998 amending the Claims;
- Preliminary Amendment filed August 27, 1998;
- Response to Office Action filed September 2, 1999 amending the Claims;
- Terminal Disclaimer filed September 2, 1999;
- Preliminary Amendment filed May 26, 2000; and
- Second Preliminary Amendment filed March 13, 2001.

**Additional Papers Enclosed**

A Preliminary Amendment is also attached, requesting amendment of the claims before examination.

A copy of the executed Verified Statement Claiming Small Entity Status - Independent Inventor/Small Business Concern from the parent Application (U.S. Application No. 09/579,801), which is a copy of the executed Verified Statement Claiming Small Entity Status - Small Business Concern from its parent application (U.S. Application No. 08/542,431, now U.S. Patent No. 5,806,048).

A copy of the Assignment from the parent Application (U.S. Application No. 09/579,801), which is a copy of the executed Assignment from its parent application (U.S. Application No. 08/542,431, now U.S. Patent No. 5,806,048).

A copy of the Notification of Filing of Continuation Application as filed in parent application (U.S. Application No. 09/579,801).

**Declaration or oath (including power of attorney)**

As previously stated, a copy of the executed Declaration and Power of Attorney filed in the prior U.S. application (Application No. 08/542,431) is submitted herewith, in accordance with 37 C.F.R. §1.63(d). Also enclosed is a copy of the Associate Power of Attorney filed September 2, 1999 in Application No. 09/140,868.

TOP SECRET//SUE//EYES ONLY

Attorney Docket No. 3001 P 016

Title: Open End Mutual Fund Securitization Process

Inventors: Kenneth Kiron and Kevin S. Bander

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### **Incorporation by Reference**

The entire disclosure of the prior application, from which a copy of the oath and declaration is supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

### **Inventorship Statement**

The inventorship for all the claims in this application is the same as that for the parent application.

### **Fee Calculation (37 C.F.R. § 1.16)**

The filing fee has been calculated as shown below:

| For:  | No. Filed  | No. Extra | Small Entity |        | Other Than A Small Entity |     |
|---|------------|-----------|--------------|--------|---------------------------|-----|
|   |            |           | Rate         | Fee    | Rate                      | Fee |
| Basic Fee   |            |           |              | \$355  |                           |     |
| Total Claims  | 102 - 20 = | 82        | x 9 =        | \$738  | x 18 =                    | \$  |
| Indep. Claims   | 9 - 3 =    | 6         | x40 =        | \$240  | x 80 =                    | \$  |
| <input type="checkbox"/> First Presentation of Multiple Dependent Claim |            |           | x135 =       | \$0    | x270 =                    | \$0 |
|   |            |           | Total        | \$1333 | Total                     | \$  |

X Check No. 8203 in the amount of \$1,333 is attached.

The Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 23-0280 for the following fees associated with this communication and during the entire pendency of the Application (a duplicate copy of this sheet is attached).

X Any additional filing fees under 37 C.F.R. § 1.16(a), (f) and (g).

X Any filing fees under 37 C.F.R. § 1.16(b), (c) and (d) for presentation of extra claims.

X Any patent application processing fees under 37 C.F.R. § 1.17.

Attorney Docket No. 3001 P 016  
Title: Open End Mutual Fund Securitization Process  
Inventors: Kenneth Kiron and Kevin S. Bander  
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**Relate Back--35 U.S.C. 120**

As required under 35 U.S.C. 120, the Specification of the attached application includes the following specific reference to the earlier filed parent applications:

"This Application is a continuation of co-pending Application Serial No. 09/579,801 filed May 26, 2000, which is a continuation of U.S. Application 09/140,868 filed August 27, 1998, now U.S. Patent No. 6,088,685, which is a continuation of U.S. Application No. 08/542,431 filed October 12, 1995, now U.S. Patent No. 5,806,048."

Please address all future communications to:

Edward L. Bishop  
Wallenstein & Wagner, Ltd.  
311 South Wacker Drive, 53rd Floor  
Chicago, Illinois 60606-6630  
312.554.3300

Respectfully submitted,

By:



Edward L. Bishop, Reg. No. 39,110  
Wallenstein & Wagner, Ltd.  
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Chicago, Illinois 60606-6630  
312.554.3300  
Attorney for Applicants

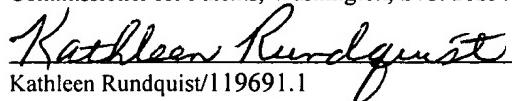
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**CERTIFICATION UNDER 37 C.F.R. § 1.10**

Express Mail Label No. EL626159351US

Date of Deposit: April 24, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, postage prepaid, under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Box Patent Application, Commissioner for Patents, Washington, D.C. 20231.

  
Kathleen Rundquist/119691.1

In Re U.S. Continuation Patent Application Of: Kenneth Kiron and Kevin S. Bander

For: Sector Fund Securitization Process

W&W File No. 3001 P 016

Enclosures: Post Card.

Check No. 8203 for \$1,333.00.

Continuation Patent Application Transmittal (in duplicate).

Copy of the Notification of Filing of Continuation Application as filed in parent application.

Preliminary Amendment.

10 Sheets of Specification, Claims and Abstract (2 Claims) as originally filed October 12, 1995.

3 Sheets Informal Drawings (Figs. 1-2) as originally filed October 12, 1995.

Copy of Substitute Specification and Abstract filed in parent application.

Copy of Amendment filed in parent application.

Copy of Preliminary Amendment filed August 27, 1998 in parent application.

Copy of Response to Office Action filed in parent application.

Copy of Terminal Disclaimer filed in parent application.

Copy of Preliminary Amendment filed May 26, 2000 filed in parent application.

Copy of Second Preliminary Amendment filed in parent application.

Copy of Verified Statement Claiming Small Entity Status filed in parent application.

Copy of Assignment from the parent application.

Copy of Declaration and Power of Attorney filed in parent application.

Copy of Associate Power of Attorney filed Sept. 2, 1999 in parent application.

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**CERTIFICATION UNDER 37 C.F.R. § 1.10**

Express Mail Label No. EL626159351US

Date of Deposit: April 24, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, postage prepaid, under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Box Patent Application, Fee, Commissioner for Patents, Washington, D.C. 20231.

Kathleen Rundquist  
Kathleen Rundquist/119691.1

Attorney Docket No. 3001 P 009



26962  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Continuation Patent Application Of )  
Kenneth Kiron and Kevin Bander )  
Application No.: 09/579,801 )      Examiner: Unassigned  
Filed: May 26, 2000      )      Group Art Unit: 2761  
For: OPEN END MUTUAL FUND )  
SECURITIZATION PROCESS )

Commissioner for Patents  
Washington, D.C. 20231

**NOTIFICATION OF FILING OF CONTINUATION APPLICATION**

Notification is hereby being made of the filing of a Continuation Application for this case filed on April 24, 2001, Attorney Docket No. 3001 P 016.

Date: 4/24/01

Respectfully submitted,

By:

  
Edward L. Bishop, Reg. No. 39,110  
WALLENSTEIN & WAGNER, LTD.  
311 South Wacker Drive - 53rd Floor  
Chicago, Illinois 60606-6630  
312.554.3300

**CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231 on April 24, 2001.

  
Kathleen Rundquist/121214.1